

November 4, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5766. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Removal of Class E Airspace; Minocqua-Woodruff, WI (Federal Aviation Administration) [Airspace Docket No. 97-AGL-32] (RIN: 2120-AA66) received November 4, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5767. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Modification of Class E Airspace; Bloomington, IL (Federal Aviation Administration) [Airspace Docket No. 97-AGL-33] (RIN: 2120-AA66) received November 4, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5768. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Modification of Class E Airspace; Norwalk, OH (Federal Aviation Administration) [Airspace Docket No. 97-AGL-28] (RIN: 2120-AA66) received November 4, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5769. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Modification of Class E Airspace; Mason, MI (Federal Aviation Administration) [Airspace Docket No. 97-AGL-27] (RIN: 2120-AA66) received November 4, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5770. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Wrightstown, NJ (Federal Aviation Administration) [Airspace Docket No. 97-AEA-32] (RIN: 2120-AA66) received November 4, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5771. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Point Pleasant, WV (Federal Aviation Administration) [Airspace Docket No. 97-AEA-31] (RIN: 2120-AA66) received November 4, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5772. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Summerville, WV (Federal Aviation Administration) [Airspace Docket No. 97-AEA-33] (RIN: 2120-AA66) received November 4, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5773. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Establishment of Class E Airspace; Indian Head, MD (Federal Aviation Administration) [Airspace Docket No. 97-AEA-34] (RIN: 2120-AA66) received November 4, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5774. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Industrie Aeronautiche e Meccaniche Rinaldo Piaggio S.p.A. Model P-180 Airplanes (Federal Aviation Administration) [Docket No. 97-CE-25-AD; Amdt. 39-10183; AD 97-22-11] (RIN: 2120-AA64) received November 4, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5775. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness

Directives; SIAI Marchetti S.r.l. Models SF600 and SF600A Airplanes (Federal Aviation Administration) [Docket No. 97-CE-26-AD; Amdt. 39-10184; AD 97-22-12] (RIN: 2120-AA64) received November 4, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5776. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Dornier Luftfahrt GmbH Models 228-100, 228-101, 228-200, 228-201, 228-202, and 228-212 Airplanes (Federal Aviation Administration) [Docket No. 97-CE-23-AD; Amdt. 39-10181; AD 97-22-09] (RIN: 2120-AA64) received November 4, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5777. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Partenavia Costruzioni Aeronauticas, S.p.A. Models AP68TP 300 "Spartacus" and AP68TP 600 "Viator" Airplanes (Federal Aviation Administration) [Docket No. 97-CE-24-AD; Amdt. 39-10182; AD 97-22-10] (RIN: 2120-AA64) received November 4, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5778. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Pilatus Aircraft LTD Models PC-6/B1-H2, PC-6/B2-H2, PC-6/B2-H4, and PC-12 Airplanes (Federal Aviation Administration) [Docket No. 97-CE-18-AD; Amdt. 39-10180; AD 97-22-08] (RIN: 2120-AA64) received November 4, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5779. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Dornier Model 328-100 Series Airplanes Equipped with BURNS Aerospace Corporation Passenger Seats (Federal Aviation Administration) [Docket No. 97-NM-84-AD; Amdt. 39-10178; AD 97-06-07 R1] (RIN: 2120-AA64) received November 4, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5780. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A310 and A300-600 Series Airplanes Equipped with Pratt & Whitney Turbofan Engines (Federal Aviation Administration) [Docket No. 96-NM-64-AD; Amdt. 39-10157; AD 97-21-04] (RIN: 2120-AA64) received November 4, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5781. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 737 Series Airplanes (Federal Aviation Administration) [Docket No. 97-NM-229-AD; Amdt. 39-10179; AD 97-22-07] (RIN: 2120-AA64) received November 4, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5782. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Pilatus Britten-Norman Ltd. (formerly Britten-Norman) BN2A MK.111 Series Airplanes (Federal Aviation Administration) [Docket No. 86-CE-23-AD; Amdt. 39-10171; AD 86-07-02 R1] (RIN: 2120-AA64) received November 4, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5783. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Pilatus Britten-Norman Ltd. (formerly Britten-Norman) BN-2A, BN-2B,

and BN-2T Series Airplanes (Federal Aviation Administration) [Docket No. 96-CE-25-AD; Amdt. 39-10170; AD 97-22-01] (RIN: 2120-AA64) received November 4, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5784. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 747 and 767 Series Airplanes Equipped with General Electric (GE) CF6-80C2 Engines (Federal Aviation Administration) [Docket No. 97-NM-243-AD; Amdt. 39-10175; AD 97-22-04] (RIN: 2120-AA64) received November 4, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5785. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—*Royal Caribbean Cruises, Ltd. v. United States*—received November 5, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5786. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—*Sun Microsystems, Inc. v. Commissioner*—received November 5, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5787. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—*Trans City Life Insurance Company v. Commissioner*—received November 5, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

¶126.4 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundegran, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H.R. 79. An Act to provide for the conveyance of certain land in the Six Rivers National Forest in the State of California for the benefit of the Hoopa Valley Tribe;

H.R. 708. An Act to require the Secretary of the Interior to conduct a study concerning grazing use and open space within and adjacent to Grand Teton National Park, Wyoming, and to extend temporarily certain grazing privileges; and

H.R. 2464. An Act to amend the Immigration and Nationality Act to exempt internationally adopted children 10 years of age or younger from the immunization requirement in section 212(a)(1)(A)(ii) of such Act.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 813. An Act to amend chapter 91 of title 18, United States Code, to provide criminal penalties for theft and willful vandalism at national cemeteries;

S. 940. An Act to provide for a study of the establishment of Midway Atoll as a national memorial to the Battle of Midway, and for other purposes;

S. 1231. An Act to authorize appropriations for fiscal years 1998 and 1999 for the United States Fire Administration, and for other purposes; and

S. 1324. An Act to deauthorize a portion of the project for navigation, Biloxi Harbor, Mississippi.

The message also announced, that pursuant to section 4355(a) of title 10, United States Code, the Chair, on behalf of the Vice President, appoints the following Senator to the Board of Visitors of the United States Military Academy:

The Senator from New Jersey [Mr. LAUTENBERG] from the Committee on Appropriations, vice the Senator from Wisconsin [Mr. KOHL].

126.5 UNFINISHED BUSINESS—APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. SUNUNU, pursuant to clause 5, rule I, announced the unfinished business to be the question on agreeing to the Chair's approval of the Journal of Tuesday, November 4, 1997.

The question being put, viva voce, Will the House agree to the Chair's approval of said Journal?

The SPEAKER pro tempore, Mr. SUNUNU, announced that the yeas had it.

Mr. ADERHOLT objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 4, rule XV, and the call was taken by electronic device.

When there appeared { Yeas 353
Nays 48

126.6 [Roll No. 575] YEAS—353

Ackerman	Conyers	Granger
Aderholt	Cook	Green
Allen	Costello	Greenwood
Andrews	Cox	Gutierrez
Archer	Coyne	Hall (OH)
Armey	Cramer	Hall (TX)
Bachus	Crapo	Hamilton
Baessler	Cummings	Hansen
Baker	Cunningham	Harman
Baldacci	Danner	Hastert
Ballenger	Davis (FL)	Hastings (WA)
Barcia	Davis (VA)	Hayworth
Barrett (NE)	Deal	Hefner
Barrett (WI)	DeGette	Herger
Bartlett	DeLay	Hill
Barton	Deutsch	Hilleary
Bass	Diaz-Balart	Hinojosa
Bateman	Dickey	Hobson
Bentsen	Dicks	Hoekstra
Bereuter	Dingell	Holden
Berman	Doggett	Hooley
Berry	Dooley	Horn
Bilbray	Doolittle	Hostettler
Bilirakis	Doyle	Houghton
Bishop	Dreier	Hoyer
Blagojevich	Duncan	Hunter
Bliley	Dunn	Inglis
Blumenauer	Edwards	Istook
Blunt	Ehlers	Jackson (IL)
Boehlert	Ehrlich	Jackson-Lee
Boehner	Emerson	(TX)
Bonilla	Eshoo	Jenkins
Bono	Etheridge	John
Boucher	Evans	Johnson (CT)
Boyd	Ewing	Johnson (WI)
Brady	Farr	Jones
Brown (FL)	Fattah	Kanjorski
Bryant	Fawell	Kasich
Bunning	Foley	Kelly
Burr	Forbes	Kennedy (MA)
Burton	Ford	Kennedy (RI)
Buyer	Fowler	Kennelly
Callahan	Frank (MA)	Kildee
Calvert	Franks (NJ)	Kilpatrick
Camp	Frelinghuysen	Kim
Campbell	Frost	Kind (WI)
Canady	Furse	King (NY)
Cannon	Galleghy	Kingston
Cardin	Ganske	Klecicka
Carson	Gejdenson	Klink
Castle	Gekas	Klug
Chabot	Gilchrest	Knollenberg
Chambliss	Gillmor	Kolbe
Chenoweth	Gilman	LaFalce
Christensen	Goode	LaHood
Clement	Goodlatte	Lampson
Coble	Goodling	Lantos
Collins	Gordon	Largent
Combest	Goss	Latham
Condit	Graham	LaTourette

Lazio	Parker	Skeen
Leach	Pascarell	Skelton
Levin	Pastor	Slaughter
Lewis (CA)	Paul	Smith (MI)
Lewis (KY)	Paxon	Smith (NJ)
Linder	Payne	Smith (OR)
Livingston	Pease	Smith (TX)
Lofgren	Pelosi	Smith, Adam
Lowe	Peterson (MN)	Smith, Linda
Lucas	Peterson (PA)	Snowbarger
Luther	Petri	Snyder
Maloney (CT)	Pickering	Solomon
Maloney (NY)	Pitts	Souder
Manton	Pombo	Spratt
Manzullo	Pomeroy	Stabenow
Markley	Porter	Stark
Martinez	Portman	Stearns
Mascara	Poshard	Stenholm
Matsui	Price (NC)	Stokes
McCarthy (MO)	Pryce (OH)	Strickland
McCarthy (NY)	Quinn	Stump
McCollum	Radanovich	Sununu
McCrery	Rahall	Talent
McDade	Rangel	Tanner
McGovern	Redmond	Tauzin
McHale	Regula	Taylor (NC)
McHugh	Reyes	Thomas
McInnis	Rivers	Thornberry
McIntosh	Rodriguez	Thune
McKeon	Roemer	Thurman
McKinney	Rogan	Tiahrt
Meehan	Rogers	Tierney
Metcalfe	Rohrabacher	Torres
Mica	Ros-Lehtinen	Towns
Millender-McDonald	Rothman	Trafigant
Miller (FL)	Roukema	Turner
Minge	Roybal-Allard	Upton
Mink	Rush	Velazquez
Moakley	Ryun	Walsh
Moran (VA)	Sanchez	Wamp
Morella	Sanders	Watkins
Murtha	Sandlin	Watt (NC)
Myrick	Sanford	Watts (OK)
Nadler	Sawyer	Waxman
Neal	Saxton	Weldon (FL)
Nethercutt	Scarborough	Weldon (PA)
Neumann	Schaefer, Dan	Wexler
Ney	Schumer	Weygand
Northup	Sensenbrenner	White
Norwood	Serrano	Whitfield
Obey	Sessions	Wicker
Olver	Shadegg	Wise
Ortiz	Shaw	Wolf
Owens	Shays	Woolsey
Oxley	Sherman	Wynn
Packard	Shimkus	Yates
Pallone	Shuster	Young (FL)
Pappas	Sisisky	
	Skaggs	

NAYS—48

Abercrombie	Fox	Menendez
Becerra	Gephardt	Miller (CA)
Bonior	Gibbons	Moran (KS)
Borski	Gutknecht	Nussle
Brown (CA)	Hastings (FL)	Oberstar
Brown (OH)	Hefley	Pickett
Clay	Hilliard	Ramstad
Clayton	Hinchee	Sabo
Clyburn	Hulshof	Schaffer, Bob
DeFazio	Johnson, E. B.	Stupak
DeLauro	Kucinich	Tauscher
English	Lewis (GA)	Taylor (MS)
Everett	Lipinski	Thompson
Fazio	LoBiondo	Vento
Filner	McDermott	Visclosky
	McNulty	Weller

NOT VOTING—31

Barr	Flake	Riggs
Boswell	Foglietta	Riley
Coburn	Gonzalez	Royce
Cooksey	Hutchinson	Salmon
Crane	Hyde	Schiff
Cubin	Jefferson	Scott
Davis (IL)	Johnson, Sam	Spence
Delahunt	Kaptur	Waters
Dellums	McIntyre	Young (AK)
Dixon	Meek	
Engel	Mollohan	

So the Journal was approved.

126.7 COMMUNICATION FROM THE CLERK—CERTIFICATE OF ELECTION

The SPEAKER laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, November 5, 1997.

Hon. NEWT GINGRICH,
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: I have the honor to transmit herewith a facsimile copy of a letter received from Mr. Peter S. Kosinski, Deputy Executive Director, State Board of Elections, State of New York, indicating that, according to the unofficial returns for the general election held November 4, 1997, the Honorable Vito Fossella was elected Representative in Congress for the Thirteenth Congressional District, State of New York.

With warm regards,

ROBIN H. CARLE.

STATE OF NEW YORK,
STATE BOARD OF ELECTIONS,
Albany, NY, November 5, 1997.

ROBIN H. CARLE,
Clerk, House of Representatives, The Capitol, Washington, DC.

DEAR MS. CARLE: Based on the unofficial returns, Vito Fossella was elected to the Office of Representative in Congress from the 13th Congressional District of New York at the General Election held on November 4, 1997.

Sincerely,

PETER S. KOSINSKI,
Deputy Executive Director.

126.8 ORDER OF BUSINESS—SWEARING IN OF MEMBER-ELECT

On motion of Mr. ARMEY, by unanimous consent,

Ordered, That, notwithstanding the fact that the certificate of election of Mr. Vito Fossella, 13th District of the State of New York, has not been received by the Clerk of the House of Representatives, Mr. FOSSELLA be permitted to take the oath of office as prescribed by law, there being no contest and no question with regard to his election.

Mr. FOSSELLA then presented himself at the bar of the House and took the oath of office prescribed by law.

126.9 PROVIDING FOR THE CONSIDERATION OF H.R. 2676

Mr. DREIER, by direction of the Committee on Rules, called up the following resolution (H. Res. 303):

Resolved, That upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the bill (H.R. 2676) to amend the Internal Revenue Code of 1986 to restructure and reform the Internal Revenue Service, and for other purposes. The bill shall be considered as read for amendment. The amendment in the nature of a substitute recommended by the Committee on Ways and Means now printed in the bill, modified by the amendments printed in the report of the Committee on Rules accompanying this resolution, shall be considered as adopted. All points of order against the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, to final passage without intervening motion except: (1) two hours of debate on the bill, as amended, which shall be equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means; and (2) one motion to recommit with or without instructions.

When said resolution was considered. After debate,

On motion of Mr. DREIER, the previous question was ordered on the reso-